

## A BILL

FOR AN ACT TO REPEAL SECTION 1307, OF CHAPTER 5, TITLE X, OF THE CODE OF 1873, AND TO ENACT A SUBSTITUTE THEREFOR, IN RELATION TO LIABILITY OF RAILWAYS.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That section 1307, of chapter 5, title X, of the Code of 1873, be, and the same is hereby repealed, and the following enacted as a substitute therefor:

Sec. 1307. Every corporation operating a railway shall be liable for all damages sustained by any person, including employes of such corporation, in consequence of any neglect on the part of such corporation to keep their track, cars, and machinery, in a safe and suitable condition for the use required of them, or of the neglect of agents, or by any mismanagement of engineers, or other employes of the corporation, and in consequence of the willful wrongs, whether of commission or omission of such agents, engineers, or other employes, when such wrongs are in any manner connected with the use or operation of any railway on or about which they shall be employed; and knowledge by an employe of any want of repair, or other fault, in the track, cars, or machinery which he is required to use, shall not prevent a recovery by him for any injuries he may receive while using or operating such road, cars, or machinery, nor constitute a defense on the part of such corporation, in an action against it by an employe for damages sustained by reason of such want of repairs or improper construction, unless the employe's negligence and want of care is the sole cause of such injury; and no contract which restricts such liability shall be legal or binding.